

BTXN 140 (rev. 12/09)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

In Re:
American Achievement Corporation

Debtor(s)

§
§
§
§

Case No.: 21-30058-hdh11
Chapter No.: 11

SUMMONS TO DEBTOR IN AN INVOLUNTARY CASE

A petition under Title 11, United States Code was filed against you on 1/14/2021 in this Bankruptcy Court, requesting an order for relief under 11 of the Bankruptcy Code (Title 11 of the United States Code).

YOU ARE SUMMONED and required to submit to the Clerk of the Bankruptcy Court, a motion or answer to the petition within 21 days after the service of this summons. A copy of the petition is attached.

Address of Clerk:
United States Bankruptcy Court
1100 Commerce Street
Room 1254
Dallas, TX 75242

At the same time, you must also serve a copy of the motion or answer on the petitioner's attorney.

Attorney's Address:
Lydia Rogers Webb
Gray Reed and McGraw LLP
1601 Elm St., Ste. 4600
Dallas, TX 75201

If you make a motion, your time to serve an answer is governed by Bankruptcy Rule 1011(c).

IF YOU FAIL TO RESPOND TO THIS SUMMONS, THE ORDER FOR RELIEF WILL BE ENTERED.

DATED: 1/15/21

FOR THE COURT:
Robert P. Colwell, Clerk of Court

by: /s/J. Bergreen, Deputy Clerk



In Re: American Achievement Corporation
Case No. 21-30058-hdh11

CERTIFICATE OF SERVICE

I, Lydia R. Webb

of** Gray Reed & McGraw LLP

certify:

That I am, and at all times hereinafter mentioned was, more than 18 years of age;

That on the 20th day of January, 2021 I served a copy of the
within summons, together with the complaint filed in this proceeding, on

American Achievement Corporation

and

C T CORPORATION SYSTEM

the alleged debtor in this case, by {describe here the mode of service}

via U.S. First Class mail, postage prepaid

the said alleged debtor at

**1550 W. Mockingbird Lane
Dallas, Texas 75236
Attn: Robert Myers, CEO**

and

**1999 BRYAN ST., STE. 900
DALLAS, TX 75201**

Under penalty of perjury, I declare that the foregoing is true and correct.

January 20, 2021 /s/ Lydia R. Webb
(Date) (Signature)

Print Name: Lydia R. Webb - Gray Reed & McGraw LLP

Business Address: 1601 Elm Street, Suite 4600

City: Dallas State: TX Zip: 75201

** same as above
State mailing address

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Northern District of Texas
(State)

Case Number (if known): _____ Chapter 11

☐ Check if this is an
amended filing

Official Form 205**Involuntary Petition Against a Non-Individual**

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1 Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed

1. Chapter of the Bankruptcy Code *Check one:*
- ☐ Chapter 7
- ☒ Chapter 11

Part 2 Identify the Debtor2. Debtor's Name American Achievement Corporation

3. Other names you know debtor has used in the last 8 years

Include any assumed names, trade names, or *doing business as* names.

4. Debtor's federal Employer Identification Number (EIN) ☐ Unknown

13-4126506

5. Debtor's address

Principal place of business

1550 W. Mockingbird Lane

Number Street

Dallas Texas 75235

City State ZIP Code

Dallas

County

Mailing address, if different

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

6. Debtor's website (URL)	<hr/>
7. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other type of debtor. Specify: <hr/>
8. Type of debtor's business	<i>Check one:</i> <input type="checkbox"/> Health Care Business (as defined in 11 U.S.C. § 101(27A)) <input type="checkbox"/> Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B)) <input type="checkbox"/> Railroad (as defined in 11 U.S.C. § 101(44)) <input type="checkbox"/> Stockbroker (as defined in 11 U.S.C. § 101(53A)) <input type="checkbox"/> Commodity Broker (as defined in 11 U.S.C. § 101(6)) <input type="checkbox"/> Clearing Bank (as defined in 11 U.S.C. § 781(3)) <input checked="" type="checkbox"/> None of the types of business listed. <input type="checkbox"/> Unknown type of business.
9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Debtor <u>AAC Holding Corp.</u> Relationship <u>Affiliate</u> District <u>Northern District of Texas</u> Date filed <u>01/14/2021</u> Case number, if known <u>MM/DD/YYYY</u> Debtor _____ Relationship _____ District _____ Date filed _____ Case number, if known _____ MM/DD/YYYY
Part 3 Report About the Case	
10. Venue	<i>Check one:</i> <input checked="" type="checkbox"/> Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district. <input checked="" type="checkbox"/> A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.
11. Allegations	Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b). The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a). <i>At least one box must be checked:</i> <input checked="" type="checkbox"/> The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount. <input type="checkbox"/> Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.
12. Has there been a transfer of any claim against the debtor by or to any petitioner?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

13. Each petitioner's claim	Name of Petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
	<u>See Rider 1</u>		\$ _____
	_____	_____	\$ _____
	_____	_____	\$ _____
		Total of petitioners' claims	\$ _____

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4 Request for Relief

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative

Name and mailing address of petitioner

Prudential Capital Partners IV, L.P.

Name

180 N. Stetson Ave, Suite 5200

Number Street

Chicago

Illinois

60601

City

State

Zip Code

Name and mailing address of petitioner's representative, if any

Stephen F. Szejner

Name

180 N. Stetson Ave, Suite 5200

Number Street

Chicago

Illinois

60601

City

State

Zip Code

I declare under penalty of perjury that the foregoing is true and correct

Executed on 01/14/2021

MM / DD / YYYY

* /s/ Stephen F. Szejner

Signature of petitioner or representative, including representative's title

Attorneys

Jason S. Brookner

Printed name

Gray Reed & McGraw LLP

Firm name, if any

1601 Elm Street, Suite 4600

Number Street

Dallas

Texas

75201

City

State

Zip Code

Contact phone 469-320-6132 Email jbrookner@grayreed.com

Bar number 24033684

State Texas

* /s/ Jason S. Brookner

Signature of attorney

Date signed 01/14/2021

MM / DD / YYYY

Name and mailing address of petitioner

Prudential Capital Partners Management Fund IV, L.P.

Name

180 N. Stetson Ave, Suite 5200

Number Street

Chicago

Illinois

60601

City

State

Zip Code

Name and mailing address of petitioner's representative, if any

Stephen F. Szejner

Name

180 N. Stetson Ave, Suite 5200

Number Street

Chicago

Illinois

60601

City

State

Zip Code

I declare under penalty of perjury that the foregoing is true and correct

Executed on 01/14/2021

MM / DD / YYYY

* /s/ Stephen F. Szejner

Signature of petitioner or representative, including representative's title

Name and mailing address of petitioner

Prudential Capital Partners (Parallel Fund) IV, L.P.

Name

180 N. Stetson Ave, Suite 5200

Number Street

Chicago

Illinois

60601

City

State

Zip Code

Name and mailing address of petitioner's representative, if any

Stephen F. Szejner

Name

180 N. Stetson Ave, Suite 5200

Number Street

Chicago

Illinois

60601

City

State

Zip Code

I declare under penalty of perjury that the foregoing is true and correct

Executed on 01/14/2021

MM / DD / YYYY

* /s/ Stephen F. Szejner

Signature of petitioner or representative, including representative's title

Jason S. Brookner

Printed name

Gray Reed & McGraw LLP

Firm name, if any

1601 Elm Street, Suite 4600

Number Street

Dallas

Texas

75201

City

State

Zip Code

Contact phone 469-320-6132 Email jbrookner@grayreed.com

Bar number 24033684

State Texas

* /s/ Jason S. Brookner

Signature of attorney

Date signed 01/14/2021

MM / DD / YYYY

Jason S. Brookner

Printed name

Gray Reed & McGraw LLP

Firm name, if any

1601 Elm Street, Suite 4600

Number Street

Dallas

Texas

75201

City

State

Zip Code

Contact phone 469-320-6132 Email jbrookner@grayreed.com

Bar number 24033684

State Texas

* /s/ Jason S. Brookner

Signature of attorney

Date signed 01/14/2021

MM / DD / YYYY

Name and mailing address of petitioner

Falcon Strategic Partners IV, LP

Name

21 Custom House Street, 10th Floor

Number Street

Boston

Massachusetts

02110

City

State

Zip Code

Name and mailing address of petitioner's representative, if any

Matthew L. White

Name

600 Lexington Ave, Floor 35

Number Street

New York

New York

10022

City

State

Zip Code

I declare under penalty of perjury that the foregoing is true and correct

Executed on 01/14/2021

MM / DD / YYYY

* /s/Matthew L. White

Signature of petitioner or representative, including representative's title

Jason S. Brookner

Printed name

Gray Reed & McGraw LLP

Firm name, if any

1601 Elm Street, Suite 4600

Number Street

Dallas

Texas

75201

City

State

Zip Code

Contact phone 469-320-6132 Email jbrookner@grayreed.com

Bar number 24033684

State Texas

* /s/Jason S. Brookner

Signature of attorney

Date signed 01/14/2021

MM / DD / YYYY

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	
	§	Chapter 11
American Achievement Corporation	§	
	§	Case No. 21-[_____] (____)
	§	
Debtor.	§	
	§	

Rider 1

Petitioners declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information and belief.

Name of Petitioner	Nature of Petitioner's Claim	Amount of the Claim Above the Value of Any Lien
Prudential Capital Partners IV, L.P.	8.00% Senior Subordinated Notes	\$72,004,910.57
Prudential Capital Partners Management Fund IV, L.P.	8.00% Senior Subordinated Notes	\$3,648,084.34
Prudential Capital Partners (Parallel Fund) IV, L.P.	8.00% Senior Subordinated Notes	\$3,797,727.35
Falcon Strategic Partners IV, LP	8.00% Senior Subordinated Notes	\$44,412,484.30
TOTAL AMOUNT		\$123,863,206.56

BTXN 091 (rev. 02/18)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

In Re:	§	
American Achievement Corporation	§	Case No.: 21-30058-hdh11
	§	Chapter No.: 11
Debtor(s)	§	

STANDING SCHEDULING ORDER REGARDING INVOLUNTARY CASES

A conference regarding entry of an **ORDER FOR RELIEF** has been scheduled in the above titled case on **2/22/2021 at 1:30 PM at the US BANKRUPTCY COURT, 1100 COMMERCE STREET, 14TH FLOOR, COURTROOM NO. 3, DALLAS, TEXAS, 75242**. The Petitioning Creditor(s) and Alleged Debtor(s) are required to appear.

PART I. INSTRUCTIONS

1. The Petitioning Creditor(s) is responsible to ensure proper notice and shall serve the following on the Alleged Debtor(s): 1) a copy of this **ORDER**; 2) a fully completed **SUMMONS TO DEBTOR IN INVOLUNTARY CASE** form; and 3) a copy of the **PETITION**. The Petitioning Creditor(s) shall file a **RETURN** on the **SUMMONS TO DEBTOR** with a **CERTIFICATE OF SERVICE** which shall provide the name(s) and address(es) of each Alleged Debtor served and the manner of service.
2. Additional copies of the **PETITION** shall be filed in the number prescribed by the Clerk.
3. The Clerk shall issue one original **SUMMONS TO DEBTOR** form which shall be conformed by the Petitioning Creditor(s) for service on multiple Alleged Debtor(s).
4. All exhibits, except for impeachment documents, are to be marked with exhibit labels and exchanged with opposing counsel. When practicable, a copy of the marked exhibits shall be furnished to the Court. Parties will file a stipulation on which exhibits can be admitted without further proof, except for relevance.
5. The Court will consider the imposition of appropriate sanctions in the event of non-compliance with this Scheduling Order.

PART II. SCHEDULE OF REQUIREMENTS AND DEADLINES

1. All cases scheduled for this **CONFERENCE** shall be prepared to discuss issues and trial setting, unless an Order Rescheduling the Conference has been entered by the Court prior to the conference.
2. Federal Rules of Bankruptcy Procedure 1010 requires that the **SUMMONS TO DEBTOR** be served with a copy of the **PETITION**. Federal Rules of Bankruptcy Procedure 7004(e) requires service of the **SUMMONS** be made within 7 days of issuance. The Court also directs that a copy of this **ORDER** be served with the **SUMMONS** and **PETITION**.

3. The Court further directs compliance with the following:

a. **A Joint Pre-Conference Statement shall be filed.** This document will contain all of the following and be incorporated in **one document**. The document is to be signed by all attorneys representing Petitioning Creditor(s) and Alleged Debtor(s).

1) **For the Petitioning Creditor(s):**

A statement of facts in support of entry of an **ORDER FOR RELIEF** and the evidence relied on to establish each of the facts contended.

2) **For the Alleged Debtor(s):**

A statement of facts in opposition to entry of an **ORDER FOR RELIEF** and the evidence relied on to establish each of the facts contended.

3) **For All Parties:**

- The date, time and location of counsels' meeting(s);
- A statement of stipulated facts;
- Each party's Statement of Contested Facts and Legal Issues;
- and
- A list of all motions, including dispositive motions, expected to be filed or that have been filed.

b. **At Docket Call for this Conference**, all parties and their counsels must certify to full compliance with this Order.

DATED: 1/15/21

FOR THE COURT:
Robert P. Colwell, Clerk of Court

by: /s/J. Bergreen, Deputy Clerk